

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

P.S. – Irrigation and C.A.D. Department – A.P.E.S. – Certain allegations against Sri A. Venkateswarlu, the then Executive Engineer, Drainage Division, Machilipatnam (now retired) – Departmental Enquiry conducted – Penalty of 50% cut in pension permanently imposed against Sri A. Venkateswarlu, Executive Engineer (Retd.) to comply with the orders of A.P.A.T. in O.A.No.10567 of 2002, dated 04.06.2010 – Orders – Issued.

IRRIGATION AND COMMAND AREA DEVELOPMENT (SER.IV) DEPARTMENT

G.O.Ms.No. 123

Dated:04.12.2010.

Read the following:-

- 1) G.O.Ms.No.466, Irrigation and C.A.D. Department, dated 14.10.1986.
- 2) From the A.P.A.T. orders dated 01.08.1996 in the R.P.No.19550/89.
- 3) Govt.Memo.No.1326/Ser.II.2/89, dated 01.04.1997.
- 4) From Sri A. Venkateswarlu, Executive Engineer (Retd.) reply dated 30.09.1997.
- 5) From the A.P.A.T. orders dated 30.09.1997 in M.A.No.326/97 in R.P.No.19550/89 with M.A.No.590/97.
- 6) G.O.Ms.No.57, Irrigation and C.A.D. (Services-II-2) Department, dated 20.03.1998.
- 7) From the A.P.A.T. orders dated 04.06.2010 in O.A.No.10567 of 2002.
- 8) From Sri A. Venkateswarlu, Executive Engineer (Retd.) representation, dated 22.06.2010.

ORDER:-

In the G.O. 1st read above, a penalty of 50% cut in pension was imposed on Sri A. Venkateswarlu, Executive Engineer (Retd.) for certain grave irregularities committed by him during his incumbency as Executive Engineer, Drainage Division, Machilipatnam.

2. Aggrieved by the imposition of the said penalty, the retired Executive Engineer filed R.P.No.19550 of 1989 in A.P. Administrative Tribunal. The A.P.A.T. in its orders 2nd read above, while setting aside the G.O. 1st read above (i.e. penalty imposed) has directed to furnish a copy of the Enquiry Officer's report to the retired Executive Engineer, besides, examination and cross examination of witnesses, if any, and ordered to pass appropriate orders.

3. Accordingly, in the Government Memo. 3rd read above, a show cause notice was served on Sri A. Venkateswarlu, Executive Engineer (Retd.) along with a copy of the Enquiry Officer's report so as to allow examination and cross-examination of witnesses, if any. Sri A. Venkateswarlu, Executive Engineer (Retd.) has also acknowledged stating that he had received the show cause notice together with the Enquiry Officer's report on 11.09.1997. The retired Executive Engineer has also stated that he had filed another M.A.326/97 in the R.P.No.19550/89. The said M.A. was finally dismissed by the A.P. Administrative Tribunal vide its orders dated 30.09.1997, stating that since the Enquiry Officer was appointed prior to his retirement it cannot be said that he is entitled for the exemption under Rule 9 (2) (b) of A.P. Revised Pension Rules, 1980.

(P.T.O.)

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4. In compliance with the A.P. Administrative Tribunal's orders 2nd and 5th read above, the Enquiry Officer's report was re-examined keeping in view the Accused Officer's explanation on each count and revised orders were issued in the G.O. 6th read above, imposing the penalty of 50% cut in pension permanently on Sri A. Venkateswarlu, Executive Engineer (Retd.).

5. Aggrieved by the above orders, Sri A. Venkateswarlu, Executive Engineer (Retd.) has filed O.A.No.10567 of 2002 before the A.P. Administrative Tribunal and the Hon'ble A.P. Administrative Tribunal in its order in O.A.No.10567 of 2002, dated 04.06.2010 set aside the impugned orders in G.O.Ms.No.57, Irrigation and C.A.D. (Ser.II-2) Department, dated 20.03.1998 as confirmed in Memo.No.37287/Ser.II(2)/98-3, dated 22.03.1999 and directed the applicant to make a representation to the respondents regarding his grievance and also directed the respondents to pass appropriate orders within a period of 3 months.

6. In accordance with the direction of A.P.A.T., Sri A. Venkateswarlu, Executive Engineer (Retd.) has submitted a representation requesting to restore the full pension, as the Hon'ble Tribunal set aside the G.O.Ms.No.57, Irrigation and C.A.D. (Ser.II-2) Department and Memo.No.37287/Ser.II(2)/98-3, dated 22.03.1999.

7. The representation of Sri A. Venkateswarlu, Executive Engineer (Retd.) has been carefully examined by Government. It has been observed that Sri A. Venkateswarlu, Executive Engineer (Retd.) did not put forth any grievance in his representation, and simply requested to restore his full pension without stating the grounds for such a request.

8. In this light, Government have decided to impose the penalty of 50% cut in pension permanently on Sri A. Venkateswarlu, Executive Engineer (Retd.) as no grounds were apparent on record to consider the plea of Sri A. Venkateswarlu, Executive Engineer (Retd.) for restoration of full pension. Accordingly, Government hereby order to impose the penalty of 50% cut in pension permanently against Sri A. Venkateswarlu, Executive Engineer (Retd.) to comply with the orders of Hon'ble A.P.A.T.

9. The Engineer –in- Chief (A.W.), Irrigation & C.A.D. Department, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri A. Venkateswarlu, Executive Engineer (Retd.) 16-2-147/B/3, New Malakpet, Hyderabad through Engineer-in-Chief (A.W.), Irrigation and C.A.D. Department, Hyderabad.

Copy to:-

The Engineer-in-Chief (A.W.), Irrigation and C.A.D. Department, Hyderabad.

The Accountant General, Andhra Pradesh, Hyderabad.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER